

UNITED STATES DISTRICT COURT

FEB 26 2018

for the

SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk

United States of America)

v.)

Case No. M-18-0413-MMichael Jovanny Garcia (YOB: 1999)
USC)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/25/2018 in the county of Starr in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

21 USC 841(a)(1)

Knowingly and intentionally possess with
intent to distribute approximately 206
kilograms of marijuana, a schedule I
controlled substance.

This criminal complaint is based on these facts:

On February 25, 2018 at approximately 11:35 p.m., U.S. Border Patrol (BP) Air Surveillance Operator Agent David Garcia, reported suspicious activity in the U.S./Mexican river bank near Escobares, Texas, to ground BP agents via service radio. BP Agent Garcia relayed that a group of subjects were headed across the Rio Grande River towards the U.S. side on a raft and that he observed them smuggling several packages of suspected contraband with them as they travelled northbound, away from the Rio Grande River.

(Continued on Attachment I)

☒ Continued on the attached sheet.Approved by

Complainant's signature

Aida L. Gonzalez, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

February 26, 2018
8:39 am

Judge's signature

City and state: McAllen, Texas

Peter Ormsby, Magistrate Judge

Printed name and title

Attachment I

Moments later, BP Agent Garcia advised ground agents that a pickup truck was travelling south towards the location of the subjects carrying the packages. At this time, responding Air and Marine Operations (AMO) Enforcement Agent Victor Garcia, advised ground agents that he observed the pickup truck reached the location of the subjects and observed the subjects load the packages into the pickup truck. AMO Agent Garcia then informed agents that the pickup truck was loaded and was now travelling north on Lucianos Road.

As responding ground BP Agent Roel Ramos began travelling south on Lucianos Road, AMO Agent Garcia advised BP Agent Ramos that the pickup truck had turned around and begun travelling south. As BP Agent Ramos continued to travel south on Lucianos Road, he observed that the pickup truck became stuck on a high brush, approximately 100 yards away from the Rio Grande River. AMO Agent Garcia then informed via radio that he observed one subject, and no one else, exit the pickup truck through the front passenger door and hide in the brush approximately 25 yards away from the pickup truck. AMO Agent Garcia added that he never lost sight of the subject. BP Agent Ramos approached the pickup truck to search for additional passengers but found none. BP Agent Ramos, guided by AMO Agent Garcia, made his way through the brush and made contact with the subject, later identified as Michael Jovanny GARCIA. A subsequent search of the vehicle led to the seizure of seven (7) packages of marijuana weighing at approximately 206 kilograms. BP Ramos placed GARCIA under arrest and both, the marijuana and GARCIA, were transported to the Rio Grande City BP Station for further processing.

On February 26, 2018. At approximately 2:30 a.m., DEA SAs Aida Gonzalez and TFA Miguel Hernandez, responded to the Rio Grande City Station to interview GARCIA. At approximately 2:45 a.m., SA Gonzalez, as witnessed by TFA Hernandez, read SALAZAR his Miranda Rights in his preferred language of English. SALAZAR acknowledged his rights, but refused to answer any questions without the presence of his attorney.

GARCIA
(3/1/2018 CR)